

34/30-31, 35/30-31, 36/29-31, 37/29-31, 38/29-31, 40/29-31, 41/29-31, 42/29-31, 43/29-31 and 45/29-31 and 51-53 were rejected under 35 U.S.C. §102(b) as being anticipated by Bickford (U.S. Patent 4,117,614); and Claims 29-32, 33/29-32, 34/30-32, 35/30-32, 36/29-32, 37/29-32, 38/29-32, 40/29-32, 41/29-32, 42/29-32, 43/29-32 and 45/29-32 and 49-54 were rejected under 35 U.S.C. §102(b) as being anticipated by EP 0856712 A2 (hereinafter “EP ‘712”).

With regard to the objections to the specification and drawings, because Claims 51-54 have been canceled herein, these objections are now moot.

Claims 29-31 and 33-43 have been amended herein. These claim amendments are believed to be supported by the original specification, claims and drawings, and thus no new matter is believed to be added thereby.

Briefly, Claim 29 as amended is directed to a refrigerator shelf including at least one support panel formed of at least one sheet of glass or plastic, the at least one support panel having a plurality of corners, and a plurality of coverpieces comprising a plurality of cornerpieces each positioned to cover one of the plurality of corners of the at least one support panel, wherein the plurality of cornerpieces covers an entire periphery of the at least one support panel when assembled, and at least one of the plurality of coverpieces is attached to the at least one support panel via at least one internal relief provided on the at least one of the plurality of coverpieces, thereby allowing the at least one of the plurality of coverpieces to be anchored in at least one groove made on the at least one support panel.

The outstanding Office Action asserts that Bickford discloses a “shelf” as recited in Claim 29. It is, however, respectfully submitted that Bickford discloses an adjustable picture frame and clearly does not teach a refrigerator shelf including “a plurality of coverpieces comprising a plurality of cornerpieces each positioned to cover one of the plurality of corners

of the at least one support panel, wherein the plurality of cornerpieces covers an entire periphery of the at least one support panel when assembled, and at least one of the plurality of coverpieces is attached to the at least one support panel via at least one internal relief provided on the at least one of the plurality of coverpieces, thereby allowing the at least one of the plurality of coverpieces to be anchored in at least one groove made on the at least one support panel” as recited in amended Claim 29. On the contrary to the assertion in the outstanding Office Action, Bickford only discloses a picture frame which cannot be adapted as a shelf, especially a refrigerator shelf. Additionally, the panel 13 of the Bickford picture frame is clearly not equivalent to a support panel as recited in Claim 29. Therefore, it is respectfully submitted that the structure recited in Claim 29 is believed to be clearly distinguishable from Bickford.

Similarly, independent Claims 30, 31 and 32 are believed to include subject matter substantially similar to what is recited in Claim 29 to the extent discussed above. Thus, Claims 30, 31 and 32 are also believed to be distinguishable from Bickford.

With regard to the 35 U.S.C. §102(b) rejection based on the European Patent Application, EP ‘712, it is respectfully submitted that the publication date, August 5, 1998, of EP ‘712 postdates the international filing date, January 27, 1998, of Applicant’s present PCT application. As such, based on 35 U.S.C. §363, Applicant respectfully requests that the outstanding art rejection on the basis of EP ‘712 be withdrawn.

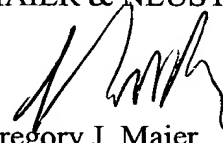
For the foregoing reasons, Claims 29-32 and 51-54 are believed to be allowable. Furthermore, substantially the same arguments set forth above also apply to dependent Claims 33-43 and 45 ultimately depending from Claims 29-32. Hence, Claims 33-43 and 45 are believed to be allowable as well.

Finally, attached herewith is a copy of the list of related cases filed October 17, 2000, by Applicant and date-stamped January 16, 2001, by the PTO mail room, which is the seventh page of the Office Action dated January 31, 2001, but no 1449 form is believed to be filed January 16, 2001. The Examiner is invited to telephone the undersigned who will be happy to work in a joint effort to clarify this issue as soon as possible.

In view of the amendments and discussion presented above and in light of the prior indication of the allowed claims and allowable subject matter, the present application is believed to be in condition for allowance. Therefore, an early action favorable to that effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Robert T. Pous
Registration No. 29,099
Attorneys of Record



22850

Tel: (703) 413-3000

Fax: (703) 413-2220

GJM/RTP/AY:fm

I:\ATTY\AKY\19s\194112\RCE-AME3.wpd

Marked-Up Copy
Serial No: 09/600,860
Amendment Filed on:
June 4, 2003

IN THE CLAIMS

Please cancel Claims 51-54 without prejudice, and amend Claims 29-31, 33-43 and 50 as follows:

--29. (Thrice Amended) A refrigerator shelf [capable of supporting foodstuffs in a refrigerator,] comprising:

at least one support panel formed of at least one sheet of glass or plastic[and comprising a face configured to support items], the at least one support panel having a plurality of corners; and

a plurality of coverpieces comprising a plurality of cornerpieces each positioned to cover one of the plurality of corners of the at least one support panel,

wherein the plurality of cornerpieces covers an entire periphery of the at least one support panel when assembled, and at least one of the plurality of coverpieces is attached to the at least one support panel via at least one internal relief provided on the at least one of the plurality of coverpieces, thereby allowing the at least one of the plurality of coverpieces to be anchored in at least one groove made on the at least one support panel.

30. (Thrice Amended) A refrigerator shelf [capable of supporting foodstuffs in a refrigerator,] comprising:

at least one support panel formed of at least one sheet of glass or plastic[and comprising a face configured to support items], the at least one support panel having a plurality of corners; and

a plurality of coverpieces comprising at least one cornerpiece covering one of the plurality of corners of the at least one support panel,

wherein at least one of the plurality of coverpieces is adapted to fit together with another one of the plurality of coverpieces, and at least one of the plurality of coverpieces is attached to the at least one support panel via at least one internal relief provided on the at least one of the plurality of coverpieces, thereby allowing the at least one of the plurality of coverpieces to be anchored in at least one groove made on the at least one support panel.

31. (Thrice Amended) A refrigerator shelf [capable of supporting foodstuffs in a refrigerator,] comprising:

at least one support panel formed of at least one sheet of glass or plastic[and comprising a face configured to support items], the at least one support panel having a plurality of corners; and

a plurality of coverpieces comprising at least one cornerpiece covering one of the plurality of corners of the at least one support panel,

wherein at least one of the plurality of coverpieces is adapted to slip or slide in another one of the plurality of coverpieces so as to form a telescopic set of coverpieces, and at least one of the plurality of coverpieces is attached to the at least one support panel via at least one internal relief provided on the at least one of the plurality of coverpieces, thereby allowing the at least one of the plurality of coverpieces to be anchored in at least one groove made on the at least one support panel.

33. (Twice Amended) A shelf according to [claims 29, 30, 31 or] claim 32, wherein at least one of the plurality of cornerpieces comprises plastic.

34. (Amended) A shelf according to [claims 30, 31 or] claim 32, wherein the plurality of coverpieces comprises a plurality of cornerpieces each covering one of the plurality of corners of the at least one support panel.

35. (Amended) A shelf according to [claims 30, 31 or] claim 32, wherein the plurality of coverpieces comprises at least one coverpiece covering, in full or in part, just one side of the panel.

36. (Twice Amended) A shelf according to [claims 29, 30, 31 or] claim 32, wherein the plurality of coverpieces has a length and shape such that the plurality of coverpieces covers the entire periphery of the panel.

37. (Twice Amended) A shelf according to [claims 29, 30, 31 or] claim 32, wherein at least one of the plurality of coverpieces is adapted to fit together with another one of the plurality of coverpieces.

38. (Twice Amended) A shelf according to claims [29, 30, 31 or] claim 32, wherein at least one of the plurality of coverpieces is adapted to slip or slide in another one of the plurality of coverpieces so as to form a telescopic set of coverpieces.

39. (Twice Amended) A shelf according to [claims 29, 30, 31 or] claim 32, wherein at least one of the plurality of coverpieces is attached to the at least one support panel via at least one internal relief provided on the at least one of the plurality of coverpieces, thereby allowing the at least one of the plurality of coverpieces to be anchored in at least one groove made on the at least one support panel.

40. (Twice Amended) A shelf according to [claims 29, 30, 31 or] claim 32, wherein at least one of the plurality of coverpieces includes an assembling means for assembling with a chassis of an item of furniture or is configured to receive the assembling means.

41. (Twice Amended) A shelf according to [claims 29, 30, 31 or] claim 32, wherein at least one of the plurality of coverpieces includes at least one stiffening fin or is configured to receive the at least one stiffening fin.

42. (Twice Amended) A shelf according to [claims 29, 30, 31 or] claim 32, wherein at least one of the plurality of coverpieces includes at least one rim configured to prevent liquids from running off or is configured to receive the at least one rim.

43. (Thrice Amended) A shelf according to [claims 29, 30, 31 or] claim 32, wherein at least one of the plurality of coverpieces includes at least one backrest or is configured to receive the at least one backrest.--